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CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

D. GOTTLIEB & CO.,
WILLIAMS ELECTRONICS, INC., and
ROCKWELL INTERNATIONAL CORPORATION,

Defendants.

and

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

GAME PLAN, INCORPORATED,

Defendant.

CIVIL ACTION NO.

78 C 2246

Judge John F. Grady

DOCKETED

OCT - 6 1981

CIVIL ACTION NO.

79 C 713

NOTICE OF DEPOSITION

TO: Gerson E. Meyers, Esq.
Dressler, Goldsmith, Shore,
Sutker & Milnamow, Ltd.
1800 Prudential Plaza
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135 South LaSalle Street
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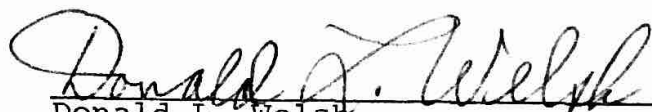
Howard Arvey, Esq.
Arvey, Hodes, Costello &
Burman
180 North LaSalle Street
Chicago, Illinois 60601

PLEASE TAKE NOTICE that at 9:30 a.m. on the 13th day of October, 1981, at the offices of Curtis, Morris & Safford, P.C., 530 Fifth Avenue, New York, New York, 10036, or other place so agreed to by counsel for the parties, the plaintiff, Bally Manufacturing Corporation, in the above-entitled action will take the deposition of Steven Mayer upon oral examination pursuant to the Federal Rules of Civil Procedure before a notary public or other officer authorized by law to administer oaths. The oral examination will continue from day to day until completed or until adjourned by Attorney for Plaintiff.

The witness is requested to bring with him to the deposition all documents and things listed in Exhibit A attached hereto.

You are invited to attend and cross-examine.

BALLY MANUFACTURING CORPORATION



Donald L. Welsh
A. Sidney Katz
Jerold B. Schnayer
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135 South LaSalle Street 60603
(312) 372-7842

Attorneys for Plaintiff

October 5, 1981

EXHIBIT "A" TO SUBPOENA

1. All documents which refer to, or relate to (i) conception, (ii) diligence, (iii) actual reduction to practice, or (iv) tests, uses, demonstrations, field trials, commercial evaluations and economic analyses of:
 - (A) A game device known as FRENZY;
 - (B) A pinball game device known as EL TORO; and
 - (C) A pinball game device known as DELTA QUEEN.
2. All documents including but not limited to internal and external correspondence, memos, notes, travel expense records, visitor logs and documents of like character tending to confirm the occurrence of or dates of any meetings, conversations or other communications occurring in the years 1973 or 1974 by and between (i) employees or representatives of Intel Corporation or any of its corporate subsidiaries and (ii) employees or representatives of Atari, Inc.
3. All documents which refer to or relate to contacts occurring in the year 1973 or 1974 between (i) employees or representatives of Intel Corporation or any of its corporate subsidiaries and (ii) employees or representatives of Atari.
4. All documents which refer or relate to contacts occurring in the years 1973 or 1974 with employees or representatives of Atari and anybody else concerning microprocessors.
5. All documents which refer or relate to the investigation, design or development of any and all pinball games at Atari prior to December 31, 1975.

6. All documents which refer or relate to the investigation, design, or development of microprocessor controlled products at Atari prior to December 31, 1975.

7. All documents which refer or relate to the following projects at Atari which are listed in Exhibit 1 attached hereto:

<u>Project</u>	<u>Cyan #</u>
Microprocessor	9922
Electronic Pin	9917
Pin-Pong	9916
Frenzy	9913

8. All documents which in any way indicate the amount of time spent by any and all employees, agents, or representatives of Atari on each of the projects listed in 7 above.

9. All documents which in any way indicate which projects were worked on at Cyan Engineering during the years 1973 and 1974.

10. All documents which in any way indicate the amount of time spent by any and all employees, agents or representatives of Cyan Engineering on projects which were worked on at Cyan Engineering during the year 1973 and 1974.

11. All Weekly Status Reports from Cyan Engineering for the years 1973 through 1975.

12. All documents which refer or relate to contacts between any and all employees, agents, or representatives of Atari and anyone else (including but not limited to the defendants or their attorneys in the above-entitled lawsuits) concerning the

above-entitled lawsuits (78 C 2246 and 79 C 713), or reissue proceedings in the United States Patent Office concerning Reissue Application Serial No. 936,784.

As used herein, the term "document" includes but is not limited to any letter, intra-company communication, note, memorandum, report, record, minutes of meetings, patent, patent application, printed publication, article, instruction, work assignment, notebook, draft, worksheet, drawing, sketch, photograph, chart, advertisement, catalog, brochure, news release, trade publication, invoice, program and any other written, recorded or graphic material however produced or reproduced, and, in the absence of the original, a copy thereof and any copy bearing markings thereon not present in the original or other copy thereof.

As used herein the word "Atari" is intended to include any divisions or subsidiaries of Atari, Inc. including but not limited to Cyan Engineering.

The above list of documents specifically excludes any documents from the Atari files which were previously marked as deposition exhibits in the above-mentioned lawsuits.

The following are charge numbers used until April 11, 1977

<u>PROJECT</u>	<u>CYAN #</u>
R.C. Pong	9901
Gotcha - Color	9902
Dodgem	9903
Quadra-Pong	9904
Volleyball (Rebound)	9905
Spike	9906
Soccer (European)	9907
Soccer (USA)	9908
Touch Me	9909
1-Player R.T.	9910
2-Player R.T.	9911
Squack	9912
Frenzy	9913
Loop Recorder	9914
Catchem	9915
Pin-Pong	9916
Electronic Pin	9917
Juggling	9918
Video Distrib. Amps	9919
Drunk Meter	9920
Audio Disk Recorder	9921
Microprocessor	9922
Reaction Tester	9923
Pneumatic Twist	9924

8001 - Supervision
8003 - General Shop Labor
8004 - Clerical
8005 - Travel

APR 11 11, 1971